

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

5 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention
10 entitled "APPARATUS AND METHOD FOR THE REPAIR OF ARTICULAR CARTILAGE DEFECTS", the specification of which was filed on 03/30/2004, assigned Serial No. 10/812,609 and identified by Attorney's Docket No. SCAN-1 CON.

15 I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title
20 37, Code of Federal Regulations, Section 1.56.

I hereby claim priority benefits under Title 35, United States Code, Section 120, of:

SCAN-1 CON

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(i) prior U.S. Patent Application Serial No.
10/261,899, filed 10/01/2002 by Paul Re et al. for
APPARATUS AND METHOD FOR THE REPAIR OF ARTICULAR
CARTILAGE DEFECTS (Attorney's Docket No. SCAN-1), which
5 in turn claims benefit of:

(ii) prior U.S. Provisional Patent Application
Serial Number 60/326,293, filed 10/01/2001 by Paul Re
et al. for APPARATUS AND METHOD FOR THE REPAIR OF
ARTICULAR CARTILAGE DEFECTS (Attorney's Docket No.
10 SCAN-1 PROV).

I hereby appoint Pandiscio & Pandiscio, P.C., a
firm composed of Nicholas A. Pandiscio, Registration
No. 17,293, Mark J. Pandiscio, Registration No. 30,883,
Scott R. Foster, Registration No. 20,570, and Margaret
15 M. Slezak, Registration No. 55,625, or any of them, of
470 Totten Pond Road, Waltham, Massachusetts 02451,
(Telephone No. 781-290-0060), my attorneys with full
power of substitution and revocation, to prosecute this
application and to transact all business in the Patent
20 Office connected therewith.

Please direct all correspondence in this matter
to:

SCAN-1 CON

- 3 -

Mark J. Pandiscio
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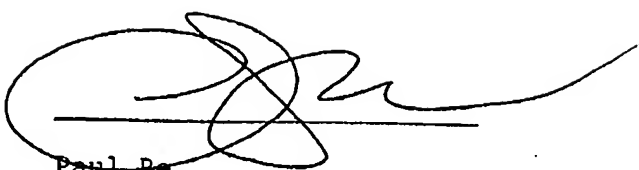
Mark J. Pandiscio or
Nicholas A. Pandiscio

10 I hereby declare that all statements made herein
of my own knowledge are true and that all statements
made on information and belief are believed to be true;
and further that these statements were made with the
knowledge that willful false statements and the like so
15 made are punishable by fine or imprisonment, or both,
under Section 1001 of Title 18 of the United States
Code and that such willful false statements may
jeopardize the validity of the application or any
patent issued thereon.

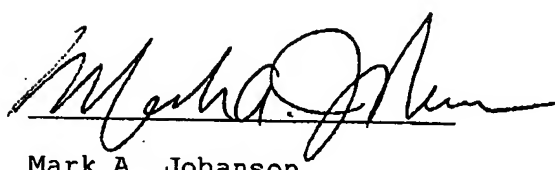
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- 4 -

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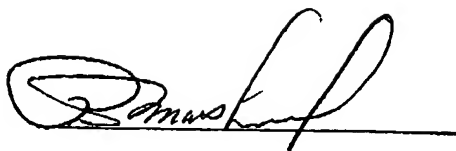
10

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- 5 -

Inventor's signature:



Inventor's full name:

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5

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